

Rockville
SUPERIOR COURT
Short Calendar
Hon. Jonathan J. Kaplan (A.J.)
Hon. Samuel J. Sferrazza (A.A.J.)
Hon. Susan A. Peck
Hon. Thelma A. Santos
Hon. Gary J. White
Hon. Patricia A. Swords
Hon. Stanley T. Fuger
Hon. Marcia J. Gleeson
69 Brooklyn Street
Courtroom B
9:30 A.M.

Attention: Notice has changed recently. PLEASE READ.  
MARKING PROCEDURES FOR ALL CASES PRINTED ON THIS LIST:  
The Clerk's Office will accept telephone markings of "READY", "OFF",  
"TAKE THE PAPERS" or "REQUEST FOR ARGUMENT". Markings may  
be made by calling 896-4949 or by fax at 875-0777 from 9:00 a.m. on  
Tuesday to 4:00 p.m. on Thursday of the week preceding the Civil Short  
Calendar. In the event a state holiday falls on Thursday preceding the  
calendar, matters may be marked from 9:00 a.m. on Tuesday to 5 p.m. on  
Wednesday. If a state holiday falls on Friday preceding the calendar mat-  
ters may be marked from 9:00 a.m. Tuesday to 11:00 a.m. Thursday. Upon  
release of the Short Calendar Markings Entry transaction on the Judicial  
Branch website, markings may be submitted electronically based on the  
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above time periods except that the periods will commence upon system availability, generally, 7:00 a.m. Tuesday.

The moving party must also give timely notice of markings to opposing counsel and/or pro se parties.

#### **SHORT CALENDAR NOTICE FOR FORECLOSURE MATTERS**

Provided the matter has been marked "READY," argument will be heard on the day scheduled for short calendar on the following motions: "As of Right" motions listed in P.B. § 11-18 including Motions for Judgment of Foreclosure, Deficiency Judgments, Motions to Approve Committee Sale, Deed, Report, Expenses and Fees, Motions to Open Judgment, Motions for Protection from Foreclosure, and Motions for Judgment on the Mortgage Note.

It shall be at the Court's discretion to accept a "TAKE PAPERS" marking on an "As of Right" motion; those matters for which argument is deemed unnecessary will be taken on the papers while those motions for which argument is required by the Court will be scheduled for a hearing at a later date. The clerk will notify the parties of the hearing date by mail.

Any "Not As of Right" motion which has printed with an "As of Right" motion may be marked "TAKE PAPERS" or, if oral argument is requested pursuant to P.B. § 11-18, it may be marked "READY." If the "Not as of Right" motion is marked "READY" in conjunction with the "As of Right" motion, the Court will hear the matter on the day scheduled for short calendar. If only the "Not As of Right" motion has been marked "READY," the judge will determine whether oral argument is necessary. If oral argument is necessary, a hearing will be scheduled and the clerk will notify the parties of the hearing date by mail. Those matters for which argument is deemed unnecessary will be decided on the papers.

- An Affidavit of Appraisal should be submitted in lieu of testimony except where fair market value is contested. In the case of deficiency judgments, the appraiser shall testify if the appraisal is lower than the fair market value found at the date of judgment or if the fair market value is contested.

- The following originals should be submitted at the hearing on Motion for Judgment of Strict Foreclosure or Motion for Judgment of Foreclosure by Sale: Mortgage Note and Deed (or Affidavit of Loss), Appraisal Report, Affidavit of Debt with updated computation of the debt to day of judgment, and any necessary military affidavits.

- Opposing parties contesting value must file a Notice of Intent to Argue at least 3 days prior to hearing and must certify copies to all counsel and pro se parties of record.

- After a Foreclosure by Sale, the Motion for Supplemental Judgment is to be filed with a copy of the proposed judgment. If supplemental judgment disbursement is held by the clerk, the debt should be calculated to date of disbursement. No appearance should be necessary for a Motion for Supplemental Judgment.

- The Plaintiff shall file an appropriate affidavit indicating compliance with C.G.S. § 8-265dd (the Emergency Mortgage Assistance Payment Program).

- Defaults will not be granted at the time of judgment unless such motions have been filed pursuant to P.B. § 17-20 (Failure to Appear), P.B. § 17-32 (Failure to Plead), and P.B. § 13-19 (No Disclosure of Defense) and there has been compliance with the notice requirements as prescribed in the respective rules. Defaults for Failure to Appear, except as provided in P.B. § 17-23 through 17-30, and Defaults for Failure to Plead will be granted by the clerk. Defaults for Failure to Disclose a Defense will only be placed on the short calendar or heard after compliance with the notice requirements prescribed in P.B. § 10-12 through 10-17.

#### **SHORT CALENDAR NOTICE FOR NON-FORECLOSURE MATTERS**

Provided the matter has been marked "READY" argument will be heard on the day scheduled for short calendar on "As of Right" motions listed in P.B. § 11-18. It shall be at the Court's discretion to accept a "TAKE PAPERS" marking on an "As of Right" motion. Those matters for which argument is deemed unnecessary will be taken on the papers while those motions for which argument is required by the Court will be scheduled for a hearing at a later date. The clerk will notify the parties of the hearing date by mail.

Every matter printed on the Short Calendar, including non-arguable matters, MUST be marked "READY" or "TAKE PAPERS" for the motion to be considered by the court. All matters not so marked will go "OFF". All non-arguable matters requesting argument shall follow the same procedure as set forth above in the foreclosure section.

Applications for a prejudgment remedy, to discharge a mechanic's lien and for temporary injunction will automatically be marked over two weeks for exchange of offers of proof.

If a marking is a request that the Court act on the motion on the papers the marking must be "TAKE PAPERS". If a matter is not marked at all it will go "OFF".

If a matter has previously been marked "ready" on the short calendar marking line and it is later discovered that it will not furnish business at the call of the calendar please call the marking line or the Clerk's office directly with this information. The judge hearing the calendar requires that this information be reported by the close of business on the Friday preceding the short calendar.

#### **NOTICE CONCERNING E-FILEING**

Initiating cases and filing motions and pleadings through the Internet is now available for five types of cases through the Judicial Branch website ([www.jud.state.ct.us](http://www.jud.state.ct.us)). Access the e-filing system by clicking on E-Services on the blue menu bar or by clicking on the e-filing icon. If you are interested in obtaining information regarding enrollment, e-filing cases/motions and pleadings, or attending interactive learning sessions, please contact [efile@jud.ct.state.us](mailto:efile@jud.ct.state.us).

#### **NOTICE RE: MERS FORECLOSURES**

In any foreclosure action where a Mortgage Electronics Registration System company is the plaintiff, no Judgment of Foreclosure shall enter unless an assignment of mortgage to the holder of the promissory note has been recorded on the land records and a Motion to Substitute the holder of the note as the plaintiff has been granted or an affidavit is filed with the court that the plaintiff is the actual holder of the promissory note.

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